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RELAXED / FLEXIBLE BUILDING SET-BACK REQUIREMENTS

Description:

Zoning codes stipulate the minimum distance (set-back requirements) that a structure or home can be built from the front, side, and rear property lines that separate the structure or home from adjoining properties or lands. Each municipality determines/writes its own zoning codes, which dictate land- and building-use in different areas (zoned districts) of the municipality. The uses that are allowed on a particular residential lot or land area are governed by the regulations for the zoning district in which the lot or land area is located (in addition to other general regulations). Thus, code requirements, including set-back requirements, can differ among the various zoned districts within a municipality, and can differ among various municipalities.

Set-backs are used as devices to achieve various purposes. For example, in ancient times, set-backs (called step-backs) were initially used for structural reasons. Builders could build taller clay, stone, or brick structures (such as the pyramids) by using a step-like recession (step-back) design to systematically reduce the footprint of each tier/level of a building that was located successively higher from the ground—thereby distributing gravity loads produced by these types of building materials and allowing natural erosion to occur without compromising the structural integrity of the building.

Over time, as improved building materials came into use, architects used building step-back designs as an architectural feature for their aesthetic value; or to achieve such features as views of the sky, roof gardens, terraces, and outdoor dining far above the ground; or for safety reasons, such as allowing fire apparatus to pass more easily between buildings. In compact-development urban areas, health concerns led to the greater use of set-backs as a means of increasing sunlight and air circulation between neighboring properties and between buildings and streetscapes. For example, codes might dictate that the lower section of a building facing the street will be limited to a specified height or number of stories, with stories above that height required to be "set back" to form a theoretical inclined plane (sky exposure plane). Often, set-back guidelines governing the space in front of a building at street level are a strategy to create plazas, with the intent of increasing the amount of public space in a city.

In suburban areas, set-back requirements are used to create more open spaces and to promote design consistency within residential neighborhoods. Most suburban zoning codes or subdivision regulations require significant building set-backs.

As zoning codes are determined locally, local governments possess the authority/flexibility to reduce or change set-back distances in order to accommodate more, or differently configured, housing units on a residential parcel

or structures in a defined land area. Such flexibility can be a valuable tool for communities that are searching for alternative ways to successfully respond to the diverse housing needs of their various resident populations, effective solutions for creating walkable communities, innovative features for improving their community's livability, and other creative methods for promoting the well-being of community members.

Reference:

"Setback (Architecture)," *Wikipedia*, citing: Irving L. Allen (1995), "Skyscrapers," *The Encyclopedia of New York City*. New Haven, CT: Yale University Press and the New York Historical Society.

Benefits:

For residents:

- Set-back flexibility can better accommodate greater density and smaller homes, which can allow homeowners to add accessory units for older family members (attached or detached) on their property without seeking a variance.

For communities:

- The ability to build up to or nearer the property line:
 - Creates a village/urban feel that many homebuyers now desire.
 - Allows greater vigilance of street activity from the buildings, which deters crime.

Impediments or barriers to development or implementation:

- Neighbors may perceive relaxed set-backs as inviting overcrowding or undesirable urban-form development.

Resource—examples and ordinances:

- City Council—Downtown Action Team (2000), *Downtown 2010 Sector Development Plan*. Albuquerque, NM: City of Albuquerque, Planning Department, Downtown Action Team.
<http://www.cabq.gov/planning/publications/down2010/preface.pdf>.
- Andres Duany and Elizabeth Plater-Zyberk (2001), *Onondaga County Settlement Plan*. Syracuse, NY: Syracuse-Onondaga Planning Agency.
<http://syracuse.thenandnow.org/SettlementPlan/SettlementPlan.htm>.
<http://www.esf.edu/la/resources/TNDCode/TNTCode.PDF>.